

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

KENNETH DOWELL,

Petitioner,

v.

BOARD OF PAROLE HEARINGS,

Respondent.

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No. 08-01683 CW

ORDER FOR  
RESPONDENT TO  
SEND HAYWARD  
DECISION TO  
PETITIONER

On May 17, 2010, the Court issued an order requesting supplemental briefing on how the recent Ninth Circuit decision, Hayward v. Marshall, 603 F.3d 546 (9th Cir. 2010) (en banc), applies to the facts presented in Petitioner's challenge to the Board of Parole Hearings' decision denying him parole. The Court ordered Respondent to send Petitioner a copy of the Hayward en banc decision no later than May 26, 2010. On June 4, 2010, Petitioner filed a letter indicating that he had not yet received the Hayward decision. Also, on June 4, 2010, Respondent filed its supplemental brief.

No later than five days from the date of this order, Respondent must send the Hayward en banc decision to Petitioner. Petitioner's supplemental brief is due thirty days after his receipt of the decision.

IT IS SO ORDERED.

Dated: June 11, 2010



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CLAUDIA WILKEN  
United States District Judge

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

KENNETH DOWELL,  
Plaintiff,

Case Number: CV08-01683 CW

**CERTIFICATE OF SERVICE**

v.

BOARD OF PRISON HEARINGS et al,  
Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on June 11, 2010, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Kenneth Dowell C-78669  
1-N-26U  
San Quentin Prison  
San Quentin, CA 94974

Dated: June 11, 2010

Richard W. Wieking, Clerk  
By: Ronnie Hersler, Deputy Clerk

United States District Court  
For the Northern District of California